

**Amendments to the Drawings:**

Figs. 1 - 3 have been amended and are believed to be in compliance with 37 C.F.R. 1.152. Specifically, Fig. 1 has been amended to show embedded fuzzy logic detection sub-system **61** and to correct reference numeral **54** (headphone speakers) to **75**. Reference numeral **54** corresponds to wideband bandpass filter (BPF) – see par. [0015] of parent patent application publication US 2003/0118196 A1. A replacement sheet containing amended Fig. 1 is submitted herewith as Exhibit 1 pursuant to MPEP 608.02(t). Figs. 2 – 3 have been amended to identify each component block, respectively, consistent with the specification. Reference numeral **54** designating the headphone speaker(s) has been corrected to **75**. A replacement sheet containing amended Figs. 2 - 3 is submitted herewith as Exhibit 2 pursuant to MPEP 608.02(t).

Fig. 4 has been canceled. An annotated sheet containing markings to the effect that Fig. 4 has been canceled in its entirety is submitted herewith as Exhibit 3 pursuant to MPEP 608.02(t). A new sheet containing new Fig. 4 is submitted herewith as Exhibit 4 pursuant to 37. C.F.R. 1.121 (d). New Fig. 4 was originally submitted as Fig. 2 on filing of the instant continuation-in-part patent application. New Fig. 4 is believed to be in compliance with 37 C.F.R. 1.152.

## REMARKS/ARGUMENTS

Applicant has studied the Office Action of May 17, 2006 and made amendments to the specification, drawings and claims, as indicated hereinabove, to overcome the Examiner's objections and place the application in condition for allowance. No new matter has been added.

Claims 2 – 3, 5 and 8 - 9 have been cancelled without prejudice to filing future continuation application(s). Claims 1, 4, 6, 10 – 11 and 13 have been previously presented. Claim 12 has been amended, as indicated hereinabove. New claims 14 – 53 have been added. Therefore, claims 1, 4, 6 and 10 - 53, inclusive, are presently pending.

### Claim Rejections Under 35 U.S.C. §112

Claims 1, 4, 6, 8 – 10 and 12 - 13 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 8 – 9 have been cancelled, as indicated hereinabove, rendering the Examiner's rejections thereto moot.

The rejections of Claims 1, 4, 6 and 10 under 35 U.S.C. §112, first paragraph, are respectfully traversed. Paragraphs [0014] and [0016] of the parent application disclose the features related to the generation of a unique codeword for an individual user. Pattern is defined as "an orderly sequence consisting of a number of repeated or complimentary elements . . ." (New Lexicon Webster's Encyclopedic Dictionary of the English Language, Deluxe Edition 1991). The specification discloses how a unique codeword is generated that spreads the signal spectrum. Spreading or frequency hopping is used to

control the sequence (i.e. pattern) of carrier frequency. Based on the above, a person skilled in the art at the time the invention was made would clearly conclude that the generation of a unique codeword for each individual user is the same as generation of a unique hop pattern for each individual user when applying frequency hopping spread spectrum. For the reasons set forth above, applicant submits that claims 1, 4, 6 and 10 comply with the requirements set forth in 35 U.S.C. §112, first paragraph, and therefore, respectfully requests that the 35 U.S.C. §112 rejections in regard to these claims be withdrawn.

The rejections of claims 12 - 13 under 35 U.S.C. §112, first paragraph, are respectfully traversed. The Examiner alleges that the newly added limitation of “a 2.4 GHz direct conversion receiver that includes a spread spectrum communication demodulator and a receiver code generator” is not supported in the disclosure of neither the present application nor the parent application.” Applicant respectfully submits that paragraph [0015], lines 5 – 7, parent application, states that, “The direct conversion receiver 56 may provide a method for down converting the received signal while utilizing timing and synchronization to capture the correct bit sequence embedded in the received spread spectrum signal.” However, in the interest of moving forward, and without waiving any rights, Applicant has amended Claim 12, as indicated hereinabove. Claim 13 does not recite a 2.4 GHz direct conversion receiver that includes a spread spectrum communication demodulator and a receiver code generator. Therefore, Applicant respectfully submits that no amendment to Claim 13 is required to overcome the Examiner’s rejection.

In view of the foregoing amendments and remarks, Applicant respectfully requests withdrawal of the §112 claim rejections.

**Claim Rejections Under 35 U.S.C. §103**

Claims 1, 4, 6 – 9 and 11 - 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Alstatt (U.S. Patent 5,771,441) in view of Schotz et al (U.S. Patent 5,946,343) and in further view of Schotz (U.S. Patent 5,491,839), and in further view of Rozin (U.S. Patent 6,342,844). Claims 8 – 9 have been cancelled, as indicated hereinabove, rendering the Examiner's rejections thereto moot.

Claim 12 has been amended. The rejections of claims 1, 4, 6, 7, 11, 12 and 13 under 35 U.S.C. §103(a) are respectfully traversed. During the interview of June 13, 2006, the Examiners stated that if the evidence is correct, the combination [i.e. Alstatt in view of Schotz et al and in further view of Rozin], will no longer be applied in the rejection. Applicant submits herewith, as requested, an executed "Declaration of Applicant Under 35 USC Section 132" as Exhibit 5, and an executed "Declaration of Applicant Regarding Limited Battery Life Under 35 USC Section 132" as Exhibit 6 (collectively "Declarations"). Applicant respectfully submits that these Declarations under 35 U.S.C. §132 collectively address the Examiners' concerns relating to the obviousness rejections under 35 U.S.C. §103(a) as well some of the objections relating to new matter. Applicant further believes that the Amendment that was filed on March 14, 2006 also addresses some of the issues that are raised by the current Office action.

In view of the foregoing amendments and remarks, Applicant respectfully requests withdrawal of the §103(a) claim rejections in regard to claims 1, 4, 6, 7, 11, 12 and 13.

**New Matter Objections Regarding Specification**

Applicant has canceled recitation No. 1 on p. 5 of the instant Office Action rendering the Examiner's objections thereto moot. Applicant has retained recitations No. 2 - 3 on p. 5 – 6 of the instant Office Action and respectfully submits that the drawings and specification, as currently amended, provide adequate support for these recitations. Applicant has canceled recitation No. 4 on p. 6 of the instant Office Action rendering the Examiner's objections thereto moot.

**Interview Summary in Compliance with MPEP Section 713.04**

Applicant would like to thank Examiner Flanders and Supervisory Patent Examiner Sinh Tran (collectively "Examiners") for the courtesies extended during the Interview of June 13, 2006. Applicant is in receipt of the Interview Summary (Form PTOL-413) prepared by the Examiners dated June 23, 2006. Applicant has reviewed the Interview Summary and submits herewith, as requested, an executed "Declaration of Applicant Under 35 USC Section 132" as Exhibit 5, and an executed "Declaration of Applicant Regarding Limited Battery Life Under 35 USC Section 132" as Exhibit 6. Applicant further wishes to supplement the Interview Summary prepared by the Examiners, as follows. During the interview on June 13, 2006, among other things, Applicant also explained to the Examiners that unlike the Schotz's invention the Applicant's invention is designed to suppress self-interference (i.e., interference that

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results from the use of multiple same devices operating simultaneously within the same space).

### Conclusion

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Applicant has paid fees for additional claims through credit card based on the current fee schedule. However, if for some reason, any additional fees are due, Applicant respectfully requests the USPTO to contact the undersigned attorney. Applicant believes that the application, as presently amended, is in condition for allowance. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call the undersigned attorney at the telephone number listed herein below to discuss any steps necessary for placing the application in condition for allowance.

Respectfully submitted,  
THE PATEL LAW FIRM, P.C.



Natu J. Patel  
USPTO Reg. No. 39,559

Date: August 15<sup>th</sup>, 2006

NJP/ec

Enclosure:

THE PATEL LAW FIRM, P.C.  
2532 Dupont Drive  
Irvine, California 92612-1524  
Business: (949) 955-1077  
Facsimile: (949) 955-1877

[www.thepatellawfirm.com](http://www.thepatellawfirm.com)  
NPatel@thePatelLawFirm.com

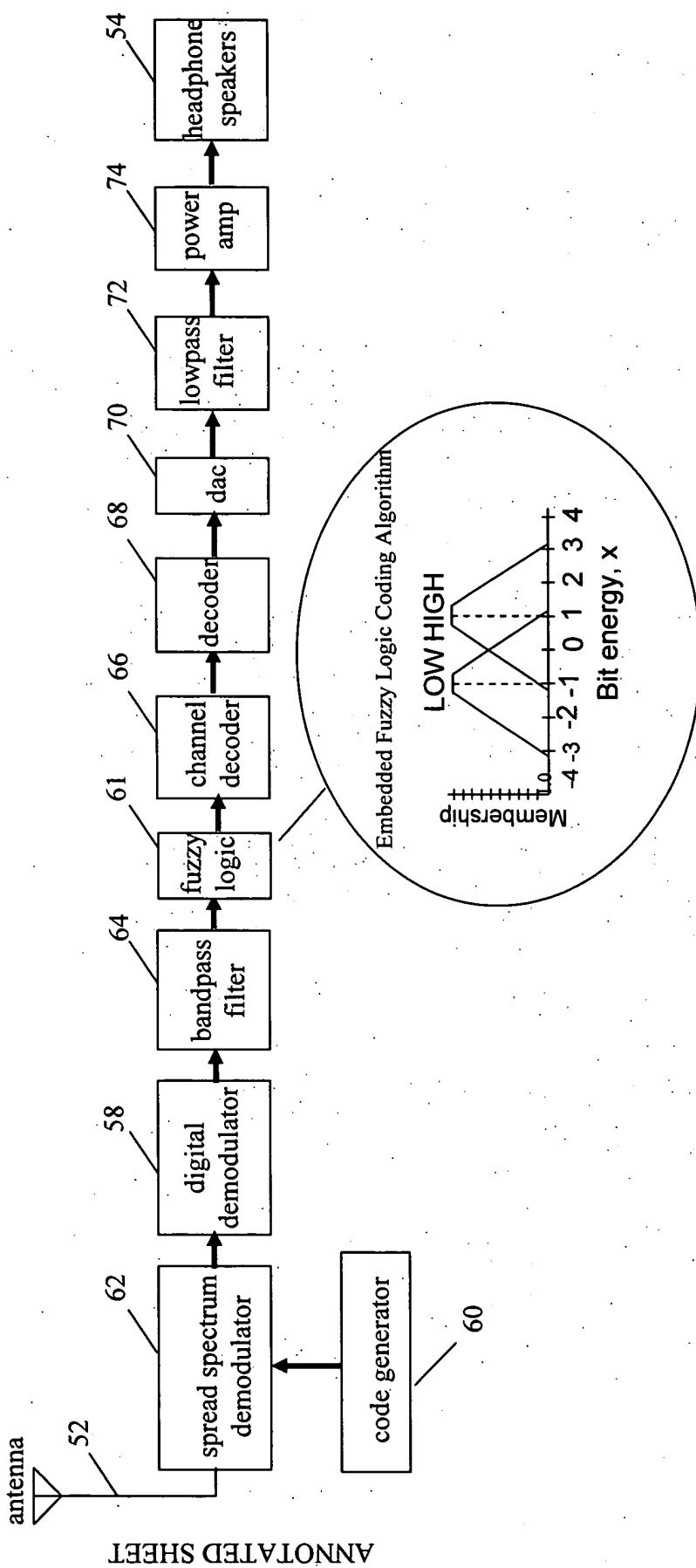


Figure 4  
(CANCELED)